### IN THE UNITED STATES DISTRICT COURT

#### FOR THE EASTERN DISTRICT OF TEXAS

#### **TYLER DIVISION**

STRAGENT, LLC, et al.,	§	
	§	
Plaintiffs,	§	Civil Action No. 6:11-CV-278-LED
	§	
v.	§	
	§	JURY TRIAL DEMANDED
PIONEER ELECTRONICS (USA) INC.,	§	
et al.,	§	
	§	
Defendants.	§	

# JOINT MOTION TO DISMISS CLAIMS AND COUNTERCLAIMS AGAINST MITSUBISHI MOTORS NORTH AMERICA, INC. WITHOUT PREJUDICE UNDER FED. R. CIV. P. 41(a)(2) AND (c)

Pursuant to Fed. R. Civ. P. 41(a)(2) and (c), Plaintiffs Stragent, LLC and TAG

Foundation and Defendant Mitsubishi Motors North America, Inc. ("Mitsubishi") jointly move

for dismissal WITHOUT PREJUDICE of all claims and counterclaims asserted by and between

Plaintiffs and Mitsubishi in this action.

Plaintiffs and Mitsubishi will each bear their own costs, expenses and legal fees.

This dismissal does not affect any other named defendants.

Respectfully submitted,

Eric M. Albritton

Texas State Bar No. 00790215

ema@emafirm.com

Stephen E. Edwards

Texas State Bar No. 00784008

see@emafirm.com

Michael A. Benefield

Texas State Bar No. 24073408

mab@emafirm.com

ALBRITTON LAW FIRM

P.O. Box 2649

Longview, Texas 75606

Telephone: (903) 757-8449 Facsimile: (903) 758-7397

Danny L. Williams

State Bar No. 21518050

danny@wmalaw.com

J. Mike Amerson

State Bar No. 01150025

mike@wmalaw.com

Matthew R. Rodgers

State Bar No. 24041802

mrodgers@wmalaw.com

David Morehan

State Bar No. 24065790

dmorehan@wmalaw.com

David K. Wooten

Texas Bar No. 24033477

dwooten@wmalaw.com

Leisa Talbert Peschel

Texas Bar No. 24060414

lpeschel@wmalaw.com

WILLIAMS, MORGAN & AMERSON, P.C.

10333 Richmond, Suite 1100

Houston, Texas 77042

Telephone: (713) 934-7000

Facsimile: (713) 934-7011

## Counsel for Stragent, LLC and TAG **Foundation**

Respectfully submitted,

### /s/ Deborah J. Swedlow (with permission)

J. Michael Huget

State Bar No. P39150

MHuget@honigman.com

Deborah J. Swedlow

State Bar No. P67844

bswedlow@honigman.com

Charles W. Duncan, Jr. State Bar No. P75288 cduncan@honigman.com

Honigman Miller Schwartz and Cohn LLP 130 South First Street, 4th Floor Ann Arbor, Michigan 48104 Telephone: (734) 418-4268 Facsimile: (734) 418-4269

Clyde M. Siebman State Bar No. 18341600 siebman@siebman.com Siebman, Burg, Phillips & Smith, LLP 300 North Travis Sherman, Texas 75090 Telephone: (903) 870-0070 Facsimile: (903) 870-0066

Counsel for Mitsubishi Motors North America, Inc.

# **CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email, on this the 16th day of April 2013.